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SUBJECT: LRA Talks: Cessation of Hostilities

Ref: Khartoum 2036 and previous

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11. (SBU) SUMMARY. Using guidelines from their ceasefire workshop (reftel), intense negotiations between the Ugandan Government and the Lord's Resistance Army (LRA) on a cessation of hostilities continued through the night of August 25 and into the morning of August 26. Once an agreement was reached at 3:30 a.m., talks were adjourned waiting for approval from LRA leader Joseph Kony. His approval came later that same day. The first phase of the cessation of hostilities will take place at 0600Z on August 29, following planned public announcements from both sides. After that time, all LRA troops must surface and they then have three weeks to proceed to one of two rally sites in Southern Sudan. If successful, this will be the first time Kony and the LRA must take action based upon commitments made by the negotiating team at the talks. END
SUMMARY.

Details of the Agreement

12. (U) Earlier discussions on a ceasefire stalled on Uganda's demand that only a full ceasefire was acceptable as part of a final package, while the LRA insisted that all fighting stop during the negotiations. The compromise was a cessation of hostilities--participants were very careful not to call it a ceasefire--that includes many of Uganda's monitoring and cantonment requirements for a ceasefire. Starting on Tuesday, August 26, members of the LRA must publicly declare themselves and begin moving to one of two sites in southern Sudan, Ri-Kwangba, near Congo in western Equatoria, and Owiny-ki-Bul, near the Ugandan border on the east side of the Nile. Residents in the two areas reportedly accepted the LRA's presence reluctantly and under pressure from the Government of Southern Sudan (GoSS).

13. (U) While at the rally points, the LRA fighters will remain armed and will be guarded by the SPLA. There will be a joint monitoring team to investigate violations of the cessation of hostilities made up of representatives from the Ugandan army, the LRA, the SPLA and international monitors. No organizations have been asked to provide monitors at this point, but the mediation team hopes the African Union will accept that role. While at the rally points, the GoSS will provide food and humanitarian supplies to the LRA.

14. (U) It will be considered a ceasefire violation if any LRA members do not surface or are found outside the rally areas after the three-week period. If the Ugandan army finds members of the LRA outside the rally points after the deadline, or if there are raids that are attributed to the LRA, the incident will be referred to the monitoring team to investigate the facts and determine a course of action.

15. (U) The agreement stipulates that if talks fail, the LRA will be allowed to peacefully leave the rally points. Observers also feel it is significant that the preamble to the three-week timeframe moves beyond Uganda's previous September 12 deadline and that the cessation of hostilities includes a reference to a process of national reconciliation, something the Ugandans had previously refused to discuss.

Observers Put it into Perspective

16. (SBU) The day after agreement was reached, the Acting Consul General (A/CG) met with three observers to the talks including a UN OCHA rep; the UN's Welile Nhlapo, Director of the Africa I Division; and the UNMIS-provided expert on ceasefires, Anton Baare from Denmark. The observers note that this is the first time that Kony must take real action during the talks and must follow through with an agreement made by his delegation. These actions, therefore, not only build confidence with the Ugandan Government, but also boost confidence in the LRA delegation to the talks, which many worry do not represent LRA leadership. Most observers also feel, however, that while many LRA fighters will proceed to the rally points, the five ICC indictees will not, and will most likely keep a small group of the LRA elite as insurance against the Ugandan Government breaking the agreement.

17. (SBU) The A/CG reiterated the United States' concern that impunity for LRA leaders would only encourage other rebel movements. Baare pointed out that in some ways this was already happening as the previous amnesty law passed in Uganda was too broad and allowed people to request forgiveness for any act of rebellion after 1986, with few other specifics. As a result, he says, several small rebellions were started because they thought they could always ask for amnesty if they failed. In fact, he explained, there were a few cases where amnesty was not requested until after a person was arrested and just before he was sent to trial. One of the main

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motivations for the initial request for ICC involvement, Baare explained, was to help close this loophole. Baare and the two UN representatives again said that impunity was not a goal of the talks and emphasized that justice would eventually be served, one way or the other.

18. (SBU) With regard to humanitarian aid, the A/CG cautioned that no support paid for by the USG should go to the LRA, an organization on the Terrorist Exclusion List of the USA-PATRIOT Act. The observers said all parties to the talks were aware of this problem. In fact, it is against most countries' laws and general humanitarian practice to provide support to armed soldiers. They expressed hope that once the LRA was in the rally points, vulnerables could be separated out, disarmed, and demobilized, which would make giving them support much easier.

19. (SBU) Nhalpo commented that the talks were still slowed by a lack of sophistication from the LRA negotiation team. He said that they are unwilling to make a non-binding agreement on one point in order to move to another, insisting on a full agreement in one area before moving on. He also pointed out that after the agreement was made, Kony's approval was in no way assured. Although most of the points of the cessation of hostilities were announced two days prior, the delegation had received no instructions from Kony and just had to hope Kony would support them.

110. (SBU) Nhalpo also said that he was not sure where the story of amnesty in the Central African Republic (CAR) originated as the LRA completely denied it. The observers speculated that the rumor may have grown out of a recent interview with Kony in which he said he may consider going to a third country, including the CAR. They said that this rumor probably took hold because the chronic instability in the CAR would make it hospitable to a guerilla like Kony, and that Kony most likely has some bases, or at least connections, in the CAR.

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